

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

C.A. NO. 04-11015RCL

**THOMAS S. McCLOSKEY and
KEVIN P. McCLOSKEY
Co-Administrators of the Estate of Philip McCloskey
Plaintiffs**

VS.

**ROBERT S. MUELLER, III, As He is Director of The Federal
Bureau of Investigation,
THE FEDERAL BUREAU OF INVESTIGATION,
WILLIAM H. ANDERSON, Individually and as an employee of
The Federal Bureau of Investigation,
THE UNITED STATES OF AMERICA and
GARY W. SAMPSON,
Defendants**

**PLAINTIFFS' ASSENTED TO MOTION TO EXTEND TIME TO FILE
OPPOSITION TO DEFENDANTS' MOTION TO DISMISS**

Now come the plaintiffs in the above numbered complaint and move this Court for an order granting them an extension for a period of thirty (30) to file their opposition to the defendants' Motion to Dismiss.

In support of the within motion the plaintiffs' counsel avers that he has been actively on trial in the various courts of the Commonwealth, including a rape trial in Brockton Superior Court which reached a verdict on October 12th. Counsel is presently before Judge Carol Ball in Brockton Superior Court on substantive motions on an additional rape case, Commonwealth vs. Arnold Casavant and counsel is scheduled to begin the vehicular homicide of Commonwealth vs. George Berdos in Dedham District Court on November 1st.

Counsel for the plaintiffs has contacted Carol L. Shea, Special Attorney for the United States Attorney's Office in Burlington, Vermont and has received her assent to this requested extension.

WHEREFORE the plaintiffs would request that this Court grant an extension of time to file their opposition to the defendants' Motion to Dismiss for a period of thirty (30) days.

Thomas S. McCloskey and Kevin P. McCloskey
Co-Administrators of the Estate of Philip
McCloskey,
By their attorney

Kevin J. Reddington, Esq.
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Brockton, MA 02301
(508) 583-4280
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ASSENTED TO:

Carol L. Shea
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P.O. Box 570
Burlington, VT 05402

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**AFFIDAVIT IN SUPPORT OF
PLAINTIFFS' ASSENTED TO MOTION TO EXTEND TIME TO FILE
OPPOSITION TO DEFENDANTS' MOTION TO DISMISS**

I, Kevin J. Reddington, Esq., being first duly sworn, depose and say that;

- 1.) I am the attorney representing the plaintiffs in the above captioned complaint.
 - 2.) The defendants in this matter have filed a Motion to Dismiss.
 - 3.) Due to the press of my present trial schedule I have not had ample time to prepare an opposition to the defendants' motion.
 - 4.) Counsel for the plaintiffs has contacted Special Attorney Carol L. Shea of the United States Attorney's Office and received her assent to an extension of time for the filing of said opposition.
 - 5.) Counsel must therefore request that this Court grant him an extension of time for a period of thirty (30) days for the filing of his opposition to the Motion to Dismiss.
- Signed under the pains and penalties of perjury this 14th day of October, 2004.

/s/ Kevin J. Reddington, Esq.